

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

V.

CA. NO. 04-1350 (GMS)

DR. SYLVIA FOSTER, ET AL

MOTION FOR INTERROGATORY
ANSWERS # 1 FOR DR. FOSTER
PURSUANT TO FED R. CIV P. # 33



DATE: 2/23/07

Jimmie Lewis
USBI # 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DEL 19977

1.) DR. FOSTER'S JUNE 10, 04 FORENSIC REPORT STATES, QUOTE, MR. LEWIS REPORTED THAT HE BEGAN DRINKING ALCOHOL IN HIS TEENS, WITH HIS LAST USE JUST PRIOR TO HIS INCARCERATION.

(DENIED BY THE PLAINTIFF) DR. FOSTER'S STATEMENT ERRONEOUSLY DRAWS AN INFERENCE THAT THE PLAINTIFF WAS DRINKING ALCOHOL ONLY MOMENTS BEFORE THE ~~OFFENSES~~ OFFENSES ARE SAID TO HAVE HAPPENED, BUT THE PLAINTIFF HAD NOT DRANK ALCOHOL (BEER) FOR AT LEAST A WEEK PRIOR TO HIS INCARCERATION. WHAT DATE AND TIME WAS DR FOSTER REFERRING TO WHEN SHE STATED, "WITH HIS LAST USE OF ALCOHOL JUST PRIOR TO HIS INCARCERATION."

2.) IN REGARDS TO DR. FOSTER DIAGNOSING THE PLAINTIFF AS MALINGERING, FOR WHICH DR. FOSTER DEFINES IN HER JUNE 10, 04 FORENSIC REPORT AS, QUOTE. THE ESSENTIAL FEATURE OF MALINGERING IS THE INTENTIONAL PRODUCTION OF FALSE OR GROSSLY EXAGGERATED PHYSICAL OR PSYCHOLOGICAL SYMPTOMS, MOTIVATED BY EXTERNAL INCENTIVES SUCH AS GETTING OUT OF PRISON INTO A PSYCHIATRIC UNIT, UNQUOTE. WAS THE PLAINTIFF'S ALLEGED FALSE OR GROSSLY EXAGGERATED PSYCHOLOGICAL SYMPTOMS PRESENTED AS EVIDENCE AT HIS TRIAL, ~~RECORDED AND TRANSCRIBED~~.

3.) DR. FOSTER'S JUNE 10, 04 FORENSIC REPORT STATES, QUOTE. ANY THREATS MADE BY MR. LEWIS TO HARM HIMSELF OR OTHERS SHOULD BE TAKEN SERIOUSLY AS HE IS HIGHLY MANIPULATIVE AND WILL STOP AT ~~NOTHING~~ LITTLE TO OBTAIN HIS GOAL. UNQUOTE.

~~WHAT DOES THE PLAINTIFF WANT TO OBTAIN?~~
~~WHAT DOES THE PLAINTIFF WANT TO OBTAIN?~~ SPECIFICALLY WHAT ARE
THE "GOALS" THAT THE PLAINTIFF WILL STOP AT
LITTLE TO OBTAIN?

4.) DR. FOSTER'S JUNE 10, 04 FORENSIC REPORT STATES ON PAGE 5 OF 6, HOWEVER SEROQUEL WAS BEGAN AFTER IT BECAME EVIDENT THAT MR. LEWIS HAD DIFFICULTY MANAGING HIS ANGER, AND CONTROLLING HIS IMPULSES. AND IN CONJUNCTION WITH PAGE 6 OF 6, MR. LEWIS MAY NEED TO REMAIN ON HIS MEDICATION TO HELP WITH ANGER MANAGEMENT AND IMPULS CONTROL.

QUESTION: WHY DID DR. FOSTER CHOOSE TO ~~PRESCRIBE~~
~~RECOMMEND SEROQUEL~~ ~~WHILE~~ ~~HOWARD B. B. CO.~~ ADVISE IN
HER JUNE 10, 04 REPORT THAT THE PLAINTIFF CONTINUE TO
RECEIVE SEROQUEL A PSYCHOTROPIC MEDICATION TO A PERSON
WHOM SHE DIAGNOSED AS MALINGERING, INSTEAD OF ADVISING
THE SEDATIVE BENADRYL A NON PSYCHOTROPIC MEDICINE.

5.) DR. FOSTER WHY DIDNT YOU DISCONTINUE ALL PSYCHOTROPIC MEDICATIONS PRESCRIBED FOR THE PLAINTIFF AFTER YOU AUTHORED YOUR JUNE 10, 04 FORENSIC REPORT THAT NOTES THAT THE PLAINTIFF IS DIAGNOSED AS MALINGERING?

6.) WHILE THE PLAINTIFF WAS UNDER THE INFLUENCE OF THE COCKTAILS OF PSYCHOTROPIC MEDICATION, WAS IT TAKEN INTO CONSIDERATION THAT INVOLUNTARY MEDICATING THE PLAINTIFF MAY CAUSE NEGATIVE REACTIONS, ~~INCREASED ANGER, INCREASED HOSTILITY, INCREASED AGGRESSION, INCREASED SUICIDAL THOUGHTS, INCREASED DEPRESSIVE SYMPTOMS, INCREASED ANXIETY, INCREASED PARANOID THOUGHTS, INCREASED DELUSIONS, INCREASED HALLUCINATIONS, INCREASED AGITATION, INCREASED RESTLESSNESS, INCREASED TENSION, INCREASED SWEATING, INCREASED HEART RATE, INCREASED BLOOD PRESSURE, INCREASED TEMPERATURE, INCREASED PUPIL SIZE, INCREASED SALIVATION, INCREASED URINATION, INCREASED DEFECATION, INCREASED SLEEPING, INCREASED EATING, INCREASED DRINKING, INCREASED SMOKING, INCREASED DRUG USE, INCREASED ALCOHOL USE, INCREASED SEXUAL ACTIVITY, INCREASED VIOLENCE, INCREASED SELF-HARM, INCREASED SUICIDE, INCREASED DEATH.~~

7.) DR FOSTER, WERE BOTH THE MCGARRY FUNCTIONS AND THE QUATNEY PRESENTED TO THE PLAINTIFF BEFORE AND/OR AFTER HIS TRIAL.

8.) DID ANY INMATE PATIENT SIGN A NOTORIZED STATEMENT, THAT THE PLAINTIFF HARMED OR HURT THEM PSYCHOLOGICALLY OR PHYSICALLY, ~~INCREASED ANGER, INCREASED HOSTILITY, INCREASED AGGRESSION, INCREASED SUICIDAL THOUGHTS, INCREASED DEPRESSIVE SYMPTOMS, INCREASED ANXIETY, INCREASED PARANOID THOUGHTS, INCREASED DELUSIONS, INCREASED HALLUCINATIONS, INCREASED AGITATION, INCREASED RESTLESSNESS, INCREASED TENSION, INCREASED SWEATING, INCREASED HEART RATE, INCREASED BLOOD PRESSURE, INCREASED TEMPERATURE, INCREASED PUPIL SIZE, INCREASED SALIVATION, INCREASED URINATION, INCREASED DEFECATION, INCREASED SLEEPING, INCREASED EATING, INCREASED DRINKING, INCREASED SMOKING, INCREASED DRUG USE, INCREASED ALCOHOL USE, INCREASED SEXUAL ACTIVITY, INCREASED VIOLENCE, INCREASED SELF-HARM, INCREASED SUICIDE, INCREASED DEATH.~~

9.) DR. FOSTER, DID ANY STAFF OF THE D.P.C SIGN A NOTORIZED STATEMENT THAT THE PLAINTIFF HARMED OR HURT THEM PSYCHOLOGICALLY OR PHYSICALLY, ~~INCREASED ANGER, INCREASED HOSTILITY, INCREASED AGGRESSION, INCREASED SUICIDAL THOUGHTS, INCREASED DEPRESSIVE SYMPTOMS, INCREASED ANXIETY, INCREASED PARANOID THOUGHTS, INCREASED DELUSIONS, INCREASED HALLUCINATIONS, INCREASED AGITATION, INCREASED RESTLESSNESS, INCREASED TENSION, INCREASED SWEATING, INCREASED HEART RATE, INCREASED BLOOD PRESSURE, INCREASED TEMPERATURE, INCREASED PUPIL SIZE, INCREASED SALIVATION, INCREASED URINATION, INCREASED DEFECATION, INCREASED SLEEPING, INCREASED EATING, INCREASED DRINKING, INCREASED SMOKING, INCREASED DRUG USE, INCREASED ALCOHOL USE, INCREASED SEXUAL ACTIVITY, INCREASED VIOLENCE, INCREASED SELF-HARM, INCREASED SUICIDE, INCREASED DEATH.~~

10.) DR. FOSTER, IF THE PLAINTIFF WOULD HAVE BEEN GIVEN A COMPETENCY HEARING IN THE MOCK COURT ROOM AT THE D.P.C, WOULD HE HAVE HAD THE OPPORTUNITY TO CONTEST THE FORENSIC REPORT YOU AUTHORED ON JUNE 10, 04.

11.) DR FOSTER,
IS IT INDEED A FACT THAT MR. LEWIS DISPLAYED NO EVIDENCE OF A MOOD DISORDER, AND NO EVIDENCE OF PSYCHOSIS DURING THE COURSE OF HIS STAY AT THE D.P.C, AS IT IS NOTED IN DR. FOSTER'S JUNE 10, 04 FORENSIC REPORT.

DR. FOSTER,
12.) COULD THE HOSPITAL STAFF ~~AT THE~~ AT THE D.P.C GIVE THE PLAINTIFF ANY PRN PSYCHOTROPIC MEDICATION, IF THE ~~PSYCHIATRIST~~ PSYCHIATRIST WHO ORDERED THE STANDING PRN PSYCHOTROPIC MEDICATION, HAD NOT ORDERED THE PSYCHOTROPIC MEDICATIONS.

13.) IS THERE A SUBSTANTIAL RISK FACTOR OF SERIOUS HARM WHEN SOMEONE INJECTS PSYCHOTROPIC MEDICINES INTO A PATIENT,
~~100% OF THE TIME THE PATIENT WILL DIE.~~

14.) DOES DR. FOSTER STILL WORK AS AN
FORENSIC PSYCHIATRIST AT THE MITCHELL BUILDING,
~~RECORDED COPY~~.

15.) IS DR. FOSTER STILL THE CHIEF FORENSIC
PSYCHIATRIST FOR THE STATE OF DELAWARE,
~~RECORDED COPY~~.

~~WILL YOU BE CHARGED, CHARGES AND PUNISHMENTS
OF THE STATE OF DELAWARE FOR THE
THAT THE STATE OF DELAWARE HAS BEEN
SUMMARY JUDGMENT, RECORDED COPY
ALL DOCUMENTS OF THE STATE OF DELAWARE
BY THE STATE OF DELAWARE.~~

16. ~~Q~~ DR. FOSTER,
CAN THE SIDE EFFECTS OF PSYCHOTROPIC
DRUG BE PERMANENT, ~~RECORDED COPY~~
~~RECORDED COPY~~.

17. ~~Q~~ DR. FOSTER,
IF A JUDICIAL HEARING WOULD HAVE BEEN
CONDUCTED IN ORDER TO INVOLUNTARILY ADMINISTER
PSYCHOTROPIC DRUGS TO THE PLAINTIFF, WOULD HE
HAVE HAD TO BE ~~DEEMED~~ DEEMED INCOMPETENT
FIRST, ~~RECORDED COPY~~.

DR. FOSTER

18 ~~Q.~~) IF A JUDICIAL HEARING WOULD HAVE BEEN CONDUCTED IN ORDER TO INVOLUNTARILY ADMINISTER PSYCHOTROPIC DRUGS TO THE PLAINTIFF, WOULD THE PLAINTIFF HAD TO BE GIVEN A COMPETENCY HEARING PRIOR TO HIS BEING SUBJECTED TO SUPERIOR COURT PROCEDURES, ~~YES OR NO, EXPLAIN YOUR REASONS~~ ~~YES OR NO~~.

CAN DR FOSTER

19 ~~Q.~~) PROVIDE THE WRITTEN NOTICE THE PLAINTIFF RECEIVED, REGARDING THE ALLEGED DISCIPLINARY CODES HE WAS SANCTIONED FOR VIOLATING ON THE FOLLOWING DATES: 5/21/04, 6/6/04, 6/13/04, 6/14/04, 6/14-15/04, 6/21/04, AND 6/24/04.

20.) DR FOSTER,

FOR THE DISCIPLINARY SANCTIONS THE PLAINTIFF RECEIVED ON 5/21/04, 6/6/04, 6/13/04, 6/14/04 AT OR ABOUT 8:00 PM, 6/14-15/04 AT OR ABOUT 11:00 PM, 6/21/04 AND 6/24/04, WAS THE PLAINTIFF, 1.) ALLOWED TO CONFRONT HIS ACCUSER, 2.) CALL WITNESSES IN HIS BEHALF, 3.) CHOOSE A COUNSELOR TO REPRESENT HIM, 4.) BE PRESENT AT THE DISCIPLINARY HEARING, 5.) RECEIVE NOTICE OF HAVING HIS ~~RIGHT~~ RIGHT TO HAVE HIS RIGHTS READ TO HIM, 6.) ALLOWED TO APPEAL, ~~NOPE, FOR THE REASONS~~ ~~NOTED~~.

DR. FOSTER,

21 ~~2004~~.) BECAUSE THE PLAINTIFF REFUSED TO TAKE PSYCHOTROPIC DRUGS INTROVENIOUSLY, WAS A SPECIAL COMMITTEE CONSISTING OF A PSYCHIATRIST, A PSYCHOLOGIST AN OFFICIAL, NONE OF WHOM WERE INVOLVED IN THE PLAINTIFF'S DIAGNOSIS OR TREATMENT CALLED TO CONDUCT A JUDICIAL HEARING AND INFORMING THE PLAINTIFF OF THE FOLLOWING: (A) ~~AN WRITTEN~~ A WRITTEN NOTICE OF HIS RIGHT TO ATTEND, (B) A WRITTEN OF SAID JUDICIAL HEARING, (C) WRITTEN NOTICE OF HIS RIGHT TO PRESENT EVIDENCE (D), WRITTEN NOTILE OF HIS RIGHT TO CROSS EXAMINE AND OR CONFRONT WITNESSES, (E) WRITTEN NOTICE OF HIS RIGHT TO BE REPRESENTED BY AN DISINTRESTED LAY ADVISER (F) WRITTEN NOTICE OF HIS RIGHT TO APPEAL (G) WRITTEN NOTICE OF HIS RIGHT TO PERIODIC REVIEW OF ANY INVOLUNTARY PSYCHOTROPIC DRUGS INJECTED INTO THE PLAINTIFF ON 6/6/04, 6/13/04, 6/14/04 AT OR ABOUT 8:00 PM, ~~UNWITTINGLY~~ 6/14-15/04 AT OR ABOUT 11:00 PM, 6/21/04, 6/22/04 AND 6/24/04, ~~AND THE PLAINTIFF WAS NOT ADVISED OF HIS RIGHTS TO REQUEST A JUDICIAL HEARING AND THE DECISIONS BY THE COURT OF ADMINISTRATION OF PSYCHOTROPIC DRUGS WERE DEEMED NECESSARY.~~

22 ~~Q~~) BECAUSE THE PLAINTIFF REFUSED TO TAKE PSYCHOTROPIC DRUGS INTRAVENOUSLY, DID THE D.P.C. MEDICAL TEAM. (A) GIVE THE PLAINTIFF A WRITTEN NOTICE OF THE HEARING, (B) A NOTICE OF HIS RIGHT TO ATTEND, (C) A NOTICE OF HIS RIGHT TO PRESENT EVIDENCE, (D) A WRITTEN NOTICE OF HIS RIGHT TO COUNSEL, (E) A WRITTEN NOTICE OF HIS RIGHT TO CROSS EXAMINE OR CONFRONT WITNESSES, (F) A WRITTEN NOTICE OF HIS RIGHT TO PERIODIC REVIEW OF ANY INVOLUNTARY PSYCHOTROPIC DRUGS ORDERED, (G) A WRITTEN NOTICE OF HIS RIGHT TO APPEAL, BEFORE AND OR AFTER ANY PSYCHOTROPIC DRUGS WERE INJECTED INTO THE PLAINTIFF ON 6/6/04, 6/13/04, 6/14/04 AT OR ABOUT 8:00 PM, 6/14-15/04 AT OR ABOUT 11:00 PM, 6/21/04, 6/22/04 AND 6/24/04, ~~AND THE PLAINTIFF WAS NOT GIVEN A WRITTEN NOTICE OF HIS RIGHT TO APPEAL, BEFORE AND OR AFTER ANY PSYCHOTROPIC DRUGS WERE INJECTED INTO THE PLAINTIFF ON 6/6/04, 6/13/04, 6/14/04 AT OR ABOUT 8:00 PM, 6/14-15/04 AT OR ABOUT 11:00 PM, 6/21/04, 6/22/04 AND 6/24/04.~~

23.) DR. FOSTER IS THE PSYCHOTROPIC
DRUG SIDE EFFECT, NEUROCEPTIC MALIGNANT
SYNDROME 30% FATAL

24.) DR. FOSTER, DURING THE PLAINTIFF'S
STAY AT THE D.P.C DATING FROM 5/21/04 TO
6/25/04, DID YOU HAVE THE AUTHORITY
TO ORDER THE USE OF FORCE.

25.) DR. FOSTER, DO YOU THINK A
PSYCHOLOGICALLY COMPETENT AND EMOTIONALLY
STABLE PERSON, WHO HAS NOT REVEALED
ANY EVIDENCE OF MOOD DISORDER OR NO
EVIDENCE OF PSYCHOSIS, BECOME AND OR
GET AGGITATED IF THAT SAID PERSON WAS
INVOLUNTARILY ADMINISTERED PSYCHOTROPIC
DRUGS INTRAVENOUSLY AGAINST HIS WILL,
~~WOULD BE AGGITATED.~~

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF JIMMIE LEWIS
DOE HEREBY CERTIFY ON THIS 23RD, DAY OF FEB,
2007, THAT I DID MAIL ONE TRUE AND
CORRECT COPY OF THE MOTION FOR
INTERROGATOR ANSWERS # 1 FOR DR. FOSTER
PURSUANT TO FED R. CIV P # 33, TO EACH
OF THE FOLLOWING :

CLERK OF THE COURT (GMS)
UNITED STATES DISTRICT COURT
844 N. KING ST, LOCKBOX 18
WILMINGTON, DELAWARE 19801

LOUIS J. RIZZO JR ESQ
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ATTORNEY FOR DR. FOSTER

DATE : 2/23/07

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IN: Timmie Lewis
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U.S.M.S.
X-RAY

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UNITED STATES DISTRICT COURT
844 N. KING ST, LOCKBOX 18
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